In the High Court of Judicature at Madras

Dated: 22.12.2006

Coram:

The Honourable Mr.Justice P.SATHASIVAM
and
The Honourable Mr.Justice S.TAMILVANAN

Writ Petition No.50049 of 2006
and M.P.No.1 of 2006

Sagunthala ..Petitioner

..vs..

1. The Commissioner,
   Corporation of Chennai,
   Rippon Buildings,
   Chennai-600 003.

2. The Zonal Officer,
   Zone V,
   Corporation of Chennai,
   183, E.V.R.Periyar High Road,
   Kilpauk,
   Chennai-600 010.

3. The Standing Committee,
   Corporation of Chennai,
   Chennai-600 003. ..Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing respondents 1 and 2 not to take action pursuant to the 1st respondent order dated 06.11.2006, pending the disposal of the appeal dated 08.12.2006 filed by the petitioner to the 3rd respondent.

For Petitioner : Mr.J.Saravana Vel

For Respondents : Mr.A.Mohammed Ghouse

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ORDER

(Order of the Court was made by P.SATHASIVAM, J.,)

The petitioner has approached this Court to issue a Writ of Mandamus, directing respondents 1 and 2 not to take action pursuant to the order of the 1st respondent dated 06.11.2006, pending disposal of the appeal dated 08.12.2006 filed by the petitioner to the 3rd respondent.

2. On direction, Mr.A.Mohammed Ghouse takes notice for respondents.

3. Considering the limited relief prayed for and in view of the assertion that petitioner has filed an appeal before the Standing Committee of Corporation of Chennai on 08.12.2006 and the same was duly acknowledged by the office of the Standing Committee on 11.12.2006, we are of the view that ends of justice would be met by directing 3rd respondent to consider and dispose of the appeal of the petitioner dated 08.12.2006, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioner. Till such final orders / decision being taken by the Standing Committee, no demolition be carried out in the building in question.

Writ petition is disposed of on the above terms. No costs. Consequently, M.P.No.1 of 2006 is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

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To

1. The Commissioner,
   Corporation of Chennai,
   Rippon Buildings,
   Chennai-600 003.

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2. The Zonal Officer,
   Zone V,
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   183, E.V.R.Periyar High Road,
   Kilpauk,
   Chennai-600 010.

3. The Standing Committee,
   Corporation of Chennai,
   Chennai-600 003.

+1cc to Mr.A.Mohammed Ghouse, Advocate Sr 64645
+1cc to Mr.P.V.Bakthavatchalam, Advocate Sr 64607

NA (CO)
km/5.1.

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